IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

Civil Revision No. 6639 of 2005

Date of decision: 22.03.2007

M/s Saini Orchards Pvt. Ltd.

..... Petitioner.

Versus

State of Haryana and others.

..... Respondents.

CORAM: HON'BLE MR. JUSTICE M.M. AGGARWAL

Present:- Mr.M.L. Sarin, Senior Advocate with
Mr. Narender Hooda, Advocate
for the petitioner.

Mr. Jitendra Chauhan, AAG, Haryana

Mr. J.K. Chauhan, Advocate
for respondent No. 4.

M.M.AGGARWAL,J. (ORAL)

This order will dispose of civil revision Nos. 6639, 6640, 6811, 6812, 6817, 6819 and 6820 of 2005. For facility of reference facts are being taken from civil revision No.6639 of 2005.

This is petition against the order dated 26.11.2005 of Additional District Judge, Panchkula whereby appeal filed by Gram Panchayat against the order dated 02.09.2005 of the trial Court was allowed and application of the plaintiff now petitioner under Order 39 Rules 1 and 2 of the Code of Civil Procedure, was dismissed.

The facts of the case are that plaintiff had filed a suit for injunction and also for direction to the Sub Registrar to register the sale deed. In that suit, an application under Order 39 Rules 1 and 2 of CPC was filed, which was allowed by the trial Court and on appeal filed by the Gram Panchat, the same was allowed and application under Order 39 Rules 1 and 2 of CPC was dismissed.

Counsel for the petitioner says that in this petition, he does not press the prayer as far as registration of the sale deeds are concerned.

From the perusal of the record, I find that the suits had been instituted about two years back. When petition was admitted for hearing, then status quo regarding possession of the petitioner was directed to be maintained.

On behalf of the respondent- Gram Panahcyat it has been argued that plaintiff- petitioner has got no right whatsoever.

In the present case the important question of rights of the parties are involved. It will not be proper for me at this stage to interfere in the matter. It will be proper that the suit itself is decided by the trial Court expeditiously especially when Gram Panchayat is the defendant/respondent.

Under these circumstances, this petition is disposed of along with other petitions. The trial Court shall give short adjournments and take steps to decide the main case expeditiously within a period of six months. Meanwhile, status quo regarding possession be maintained.

It has also come out that there is some application under Section 13 of the Punjab Village Common Land Act filed by Ajmer Singh before the Collector Panchkula in respect of property in dispute. Collector Panchkula shall also take steps to dispose of that application expeditiously, within three months.

March 22,2007 **(M.M. AGGARWAL)**
Dinesh **JUDGE**